

Franchise Tax Board

NO ANALYSIS REQUIRED

Author: Kopp Analyst: Roger Lackey Bill Number: SB 143
Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 06-17-98
Attorney: Doug Bramhall Sponsor: _____

SUBJECT: California Public Records Act/Public Records, Agency & Writing Definitions

- ____ ANALYSIS NOT REQUIRED of this bill -- Not within scope of responsibility of this department.
- ____ TECHNICAL BILL -- No program or fiscal changes to existing program.
- ____ BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.
- ____ TECHNICAL AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is _____.
- X MINOR AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is Pending.
- ____ MINOR AMENDMENT - No change in approved position of _____. See comments below.
- ____ OTHER - See comments below.

COMMENTS:

This bill would make changes to the California Public Records Act including providing for public inspection and copying of public records within specified time periods. This bill would provide that an agency withholding disclosure of a record based on public interest shall provide the reason in writing.

The June 17, 1998, amendment specified that computer data would be provided in a form determined by the state agency. Further, the amendment eliminated the requirement that an agency provide a copy of an electronic record in the form requested, if that form is used by the agency and, in the light of surrounding circumstances, the request is reasonable.

The amendment also eliminated the requirement that the requester pay the direct cost of the duplication of records and in the case of commercial purposes, the actual cost of providing records.

In addition, the amendment resolved the technical concern regarding a subdivision reference to the Government Code.

Except for the discussion above, the department's analysis of SB 143 as amended January 20, 1998, still applies.

Department Staff Position:

____ S	____ NA	____ NP
____ SA	____ O	____ NAR
____ N	____ OUA	<u>X</u> PENDING

Franchise Tax Board Staff

Date

Roger J. Lackey

6/25/98